

under this part and that may process and/or repackage spent fuel, must be accompanied by an Emergency Plan that includes the following information:

- (1) *Facility description.* A brief description of the licensee facility and area near the site.
- (2) *Types of accidents.* An identification of each type of radioactive materials accident.
- (3) *Classification of accidents.* A classification system for classifying accidents as "alerts" or "site area emergencies."
- (4) *Detection of accidents.* Identification of the means of detecting an accident condition.
- (5) *Mitigation of consequences.* A brief description of the means of mitigating the consequences of each type of accident, including those provided to protect workers on site, and a description of the program for maintaining the equipment.
- (6) *Assessment of releases.* A brief description of the methods and equipment to assess releases of radioactive materials.
- (7) *Responsibilities.* A brief description of the responsibilities of licensee personnel should an accident occur, including identification of personnel responsible for promptly notifying offsite response organizations and the NRC; also responsibilities for developing, maintaining, and updating the plan.
- (8) *Notification and coordination.* A commitment to and a brief description of the means to promptly notify offsite response organizations and request offsite assistance, including medical assistance for the treatment of contaminated injured onsite workers when appropriate. A control point must be established. The notification and coordination must be planned so that unavailability of some personnel, parts of the facility, and some equipment will not prevent the notification and coordination. The licensee shall also commit to notify the NRC operations center immediately after notifications of the appropriate offsite response organizations and not later than one hour after the licensee declares an emergency.<sup>11</sup>
- (9) *Information to be communicated.* A brief description of the types of information on facility status; radioactive releases; and recommended protective actions, if necessary, to be

<sup>11</sup> These reporting requirements do not supersede or release licensees of complying with the requirements under the Emergency Planning and Community Right-to-Know Act of 1986, Title III, Pub. L. 99-499 or other State or Federal reporting requirements.

given to offsite response organizations and to the NRC.

(10) *Training.* A brief description of the training the licensee will provide workers on how to respond to an emergency and any special instructions and orientation tours the licensee would offer to fire, police, medical and other emergency personnel.

(11) *Safe condition.* A brief description of the means of restoring the facility to a safe condition after an accident.

(12) *Exercises.* (i) Provisions for conducting quarterly communications checks with offsite response organizations and biennial onsite exercises to test response to simulated emergencies. Radiological/Health Physics, Medical, and Fire Drills shall be held semiannually. Quarterly communications checks with offsite response organizations must include the check and update of all necessary telephone numbers. The licensee shall invite offsite response organizations to participate in the biennial exercises.

(ii) Participation of offsite response organizations in the biennial exercises, although recommended, is not required. Exercises must use scenarios not known to most exercise participants. The licensee shall critique each exercise using individuals not having direct implementation responsibility for conducting the exercise. Critiques of exercises must evaluate the appropriateness of the plan, emergency procedures, facilities, equipment, training of personnel, and overall effectiveness of the response. Deficiencies found by the critiques must be corrected.

(13) *Hazardous chemicals.* A certification that the applicant has met its responsibilities under the Emergency Planning and Community Right-to-Know Act of 1986, Title III, Pub. L. 99-499, with respect to hazardous materials at the facility.

(14) *Comments on Plan.* The licensee shall allow the offsite response organizations expected to respond in case of an accident 60 days to comment on the initial submittal of the licensee's emergency plan before submitting it to NRC. Subsequent plan changes need not have the offsite comment period unless the plan changes affect the offsite response organizations. The licensee shall provide any comments received within the 60 days to the NRC with the emergency plan.

(15) *Offsite assistance.* The applicant's emergency plans shall include the following:

- (i) A brief description of the arrangements made for requesting and effectively using offsite assistance on

site and provisions that exist for using other organizations capable of augmenting the planned onsite response.

(ii) Provisions that exist for prompt communications among principal response organizations to offsite emergency personnel who would be responding onsite.

(iii) Adequate emergency facilities and equipment to support the emergency response onsite are provided and maintained.

(iv) Adequate methods, systems, and equipment for assessing and monitoring actual or potential consequences of a radiological emergency condition are available.

(v) Arrangements are made for medical services for contaminated and injured onsite individuals.

(vi) Radiological Emergency Response Training has been made available to those offsite who may be called to assist in an emergency onsite.

(16) Arrangements made for providing information to the public.

(c) For an ISFSI that is:

- (1) located on the site, or
- (2) located within the exclusion area as defined in 10 CFR part 100, of a nuclear power reactor licensed for operation by the Commission, the emergency plan required by 10 CFR 50.47 shall be deemed to satisfy the requirements of this section.

(d) A licensee with a license issued under this part may take reasonable action that departs from a license condition or a technical specification (contained in a license issued under this part) in an emergency when this action is immediately needed to protect the public health and safety and no action consistent with license conditions and technical specifications that can provide adequate or equivalent protection is immediately apparent.

Dated at Rockville, MD, this 16th day of June 1995.

For the U.S. Nuclear Regulatory Commission.

**Andrew L. Bates,**

*Acting Secretary of the Commission.*

[FR Doc. 95-15285 Filed 6-21-95; 8:45 am]

BILLING CODE 7590-01-P

## INTERNATIONAL TRADE COMMISSION

### 19 CFR Part 210

#### Filing of Complaints and Supplements to Complaints Alleging Unfair Practices in Import Trade

AGENCY: International Trade Commission.

**ACTION:** Final rulemaking.

**SUMMARY:** The Commission hereby revises its final rules for investigations and related proceedings under section 337 of the Tariff Act of 1930 (19 U.S.C. 1337). The revised rules require section 337 complainants to file equal numbers of confidential and nonconfidential copies of their complaints and to file them on the same date. The revised rules impose the same requirements for filing supplements to complaints. The revised rules are being adopted in response to concerns expressed by interested members of the public and for the purpose of streamlining the administrative process by improving the speed and efficiency of the Commission's distribution and service of nonconfidential copies of complaints, including supplements thereto.

**EFFECTIVE DATE:** In accordance with the 30-day advance publication requirement imposed by 5 U.S.C. 553(d), the effective date of these revised rules is July 24, 1995.

**FOR FURTHER INFORMATION CONTACT:** P.N. Smithey, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-205-3061. Hearing-impaired individuals can obtain information concerning the proposed rulemaking by contacting the Commission's TDD terminal at 202-205-1810.

**SUPPLEMENTARY INFORMATION:**

**Background**

On August 1, 1994, the Commission published final rules for 19 CFR part 210.<sup>1</sup> Final rule 210.4(f)(3)(i) imposed a 10-day deadline for section 337 complainants to file nonconfidential copies of their complaints after the confidential version was filed.

On March 29, 1995, the Commission published a notice containing proposed revisions to the part 210 rules which would require section 337 complainants to file equal numbers of confidential and nonconfidential copies of their complaints and to file them on the same date.<sup>2</sup> The Customs and International Trade Bar Association (CITBA) was the only organization that responded to the notice of proposed rulemaking. The CITBA expressed approval of the proposed rules.

**Section-by-Section Analysis of the Revised Rules**

The commentary that preceded the proposed rules in the notice of proposed

rulemaking published on March 29, 1995, constitutes the preamble to the revised rules set forth in the present notice.<sup>3</sup>

Revised rule 210.52(e) is identical to proposed rule 210.52(e). Revised rules 210.4(f)(3), 210.5(a), and 210.8(a) differ slightly from the correspondingly numbered proposed rules. The proposed rules required complainants to file nonconfidential copies of their complaints concurrently with the confidential copies. Upon further reflection, the Commission decided that revised rules 210.4(f)(3), 210.5(a), and 210.8(a) should impose the same requirements for the filing of supplements to section 337 complaints.

**Regulatory Analysis**

The revised rules adopted in this notice do not meet the criteria enumerated in section 3(f) of Executive Order 12866,<sup>4</sup> and therefore do not constitute a significant regulatory action for purposes of that Executive Order.

In accordance with the Regulatory Flexibility Act,<sup>5</sup> the Commission hereby certifies<sup>6</sup> that the revised rules set forth in this notice are not likely to have a significant economic impact on a substantial number of small business entities. The Commission notes that most section 337 complainants are not small businesses. Moreover, the revised rules merely increase the number of copies that section 337 complainants must file for two categories of submissions: Complaints and supplements to complaints.

In any event, the Regulatory Flexibility Act is inapplicable to this rulemaking, because it is not one for which a notice of proposed rulemaking was required under 5 U.S.C. 553(b) or another statute.<sup>7</sup> Though the Commission chose to publish such a notice on March 29, 1995, the revised rules are "agency rules of procedure or practice" and thus were exempt from the notice requirement imposed by 5 U.S.C. 553(b).

**List of Subjects in 19 CFR Part 210**

Administrative practice and procedure, Imports, and investigations, Investigations of unfair acts and unfair methods of competition in U.S. import trade.

For the reasons set forth in the preamble, the U.S. International Trade Commission hereby amends part 210 of

title 19 of the Code of Federal Regulations as follows:

**PART 210—ADJUDICATION AND ENFORCEMENT**

1. The authority citation for part 210 continues to read as follows:

**Authority:** 19 U.S.C. 1333, 1335, and 1337.

2. Paragraph (f)(3) of § 210.4 is revised to read as follows:

**§ 210.4 Written submissions; representations; sanctions.**

\* \* \* \* \*

(f) *Specifications; filing of documents.*

\* \* \*

(3)(i) If a complaint, a supplement to a complaint, a motion for temporary relief, or the documentation supporting a motion for temporary relief contains confidential business information as defined in § 201.6(a) of this chapter, the complainant shall file nonconfidential copies of the complaint, the supplement to the complaint, the motion for temporary relief, or the documentation supporting the motion for temporary relief concurrently with the requisite confidential copies, as provided in § 210.8(a) of this part.

(ii) Persons who file the following submissions that contain confidential business information covered by an administrative protective order, or that are the subject of a request for confidential treatment, must file nonconfidential copies and serve them on the other parties to the investigation or related proceeding within 10 calendar days after filing the confidential version with the Commission:

(A) A response to a complaint and all supplements and exhibits thereto;

(B) All submissions relating to a motion to amend the complaint or notice of investigation; and

(C) All submissions addressed to the Commission.

Other sections of this part may require, or the Commission or the administrative law judge may order, the filing and service of nonconfidential copies of other kinds of confidential submissions. If the submitter's ability to prepare a nonconfidential copy is dependent upon receipt of the nonconfidential version of an initial determination, or a Commission order or opinion, or a ruling by the administrative law judge or the Commission as to whether some or all of the information at issue is entitled to confidential treatment, the nonconfidential copies of the submission must be filed within 10 calendar days after service of the Commission or administrative law judge document in question. The time periods

<sup>1</sup> 59 FR 39020, Part II (Aug. 1, 1994), as corrected by 59 FR 64286 (Dec. 14, 1994) and amended by 59 FR 67622 (Dec. 30, 1994).

<sup>2</sup> 60 FR 16087 (Mar. 29, 1995).

<sup>3</sup> See the Section-by-Section analysis of the proposed rules, which appeared in 60 FR at 16087-16088.

<sup>4</sup> 58 FR 51735, Oct. 4, 1993.

<sup>5</sup> 5 U.S.C. 601 note.

<sup>6</sup> Pursuant to 5 U.S.C. 605(b).

<sup>7</sup> See 5 U.S.C. 603(a).

for filing specified in this paragraph apply unless the Commission, the administrative law judge, or another section of this part specifically provides otherwise.

\* \* \* \* \*

3. Paragraph (a) of § 210.5 is revised to read as follows:

**§ 210.5 Confidential business information.**

(a) *Definition and submission.* Confidential business information shall be defined and identified in accordance with § 201.6 (a) and (c) of this chapter. Unless the Commission, the administrative law judge, or another section of this part states otherwise, confidential business information shall be submitted in accordance with § 201.6(b) of this chapter. In the case of a complaint, any supplement to the complaint, and a motion for temporary relief filed under this part, the number of nonconfidential copies shall be prescribed by § 210.8(a) of this part.

\* \* \* \* \*

4. Paragraph (a) of § 210.8 is revised to read as follows:

**§ 210.8 Commencement of preinstitution proceedings.**

(a) *Upon receipt of complaint.* A preinstitution proceeding is commenced by filing with the Secretary a signed original complaint and the requisite number of true copies. The complainant shall file 14 confidential copies of the complaint, 14 nonconfidential copies, plus one confidential copy and one nonconfidential copy for each person named in the complaint as violating section 337 of the Tariff Act of 1930, and one nonconfidential copy for the government of each foreign country of any person or persons so named. The same requirements apply for the filing of a supplement to the complaint. If the complainant is seeking temporary relief, the complainant must file 14 confidential copies of the motion, 14 nonconfidential copies, plus one additional confidential copy and one additional nonconfidential copy of the motion for such relief for each proposed respondent, and one nonconfidential copy for the government of the foreign country of the proposed respondent. The additional copies of the complaint and motion for temporary relief for each proposed respondent and the appropriate foreign government are to be provided notwithstanding the procedures applicable to a motion for temporary relief, which require service of the complaint and motion for temporary relief by the complainant.

\* \* \* \* \*

5. Paragraph (e) of § 210.52 is revised to read as follows:

**§ 210.52 Motions for temporary relief.**

\* \* \* \* \*

(e) If the complaint, the motion for temporary relief, or the documentation supporting the motion for temporary relief contains confidential business information as defined in § 201.6(a) of this chapter, the complainant must follow the procedure outlined in §§ 210.4(a), 210.5(a), 201.6 (a) and (c), 210.8(a), and 210.55 of this part.

Issued: June 13, 1995.

By Order of the Commission.

**Donna R. Koehnke,**

*Secretary.*

[FR Doc. 95-15179 Filed 6-21-95; 8:45 am]

BILLING CODE 7020-02-P

**SOCIAL SECURITY ADMINISTRATION**

**20 CFR Part 422**

**RIN 0960-AE18**

**Evidence Required for Duplicate Social Security Number Card**

**AGENCY:** Social Security Administration (SSA).

**ACTION:** Interim rule.

**SUMMARY:** We intend to conduct a pilot project in as many as 100 social security offices throughout the country and in as many as 10 teleservice centers to encourage people who need a duplicate social security number (SSN) card to contact us by phone to request the duplicate card. We are, therefore, providing an exception to our rule in 20 CFR 422.107(c) on the corroborative evidence of identity a person must submit when he or she applies for a duplicate SSN card.

**EFFECTIVE DATE:** This regulation is effective on June 22, 1995. Since this rule grants a limited exemption from certain requirements for issuing duplicate SSN cards, the 30-day delay in effectuating rules, as provided by 5 U.S.C. 553(d), does not apply. We will consider any comments we receive by August 21, 1995 and will publish a revised final regulation if public comments warrant it.

**ADDRESSES:** Comments on this rule should be submitted in writing to the Commissioner of Social Security, P.O. Box 1585, Baltimore, MD 21235, sent by telefax to (410) 966-2830, sent by E-mail to "regulations@ssa.gov," or delivered to the Division of Regulations and Rulings, Social Security Administration, 3-B-1 Operations Building, 6401 Security Boulevard, Baltimore, MD 21235, between 8:00 a.m. and 4:30 p.m. on regular business days. Comments

received may be inspected during these same hours by making arrangements with the contact person shown below.

Organizations and individuals desiring to submit comments on the information collection requirements under the "Paperwork Reduction Act" should submit them to the Office of Management and Budget, Office of Information and Regulatory Affairs, New Executive Office Building, Room 3208, Washington, D.C. 20503, Attention: Desk Officer for SSA.

The electronic file of this document is available on the Federal Bulletin Board (FBB) at 9 a.m. on the date of publication in the **Federal Register**. To download the file, modem dial (202) 512-1387. The FBB instructions will explain how to download the file and the fee. This file is in Wordperfect and will remain on the FBB during the comment period.

**FOR FURTHER INFORMATION CONTACT:** Jack Schanberger, Room 3-B-1 Operations Building, 6401 Security Boulevard, Baltimore, MD 21235, (410) 965-8471.

**SUPPLEMENTARY INFORMATION:** Section 205(c)(2)(B)(ii) of the Act provides that an applicant for an SSN must submit such evidence as may be necessary for the Commissioner of Social Security (the Commissioner) to establish the applicant's age, citizenship or alien status, and true identity. Under this provision, the applicant must also provide evidence that the Commissioner may need to determine which (if any) social security account number has previously been assigned to the applicant. This provision was added to the Act in 1972 (Pub. L. 92-603) to provide instructions for assigning SSNs. In addition, Pub. L. 92-603 amended section 208 of the Act to provide penalties for anyone who knowingly, willfully, and with intent to deceive uses an SSN that was obtained with false information. See S. Rep. No. 92-1230 and H.R. Rep. No. 92-1605, 92d Cong., 2d Sess. (1972).

The amendments were in response to the expanding use of the SSN and a concern about its misuse. To implement the amendments, we increased the security of the procedures we used for assigning an SSN. We also published regulations at 20 CFR 422.107(c) which, among other things, require that each applicant for an original, duplicate, or corrected SSN card must submit documentary evidence of identity. The primary purposes for requiring an applicant for a duplicate SSN card to furnish this evidence are to avoid assigning more than one SSN to a person and to ensure that the card is issued to the correct person.